

Entered -09-14-00 - sb
CL 00L0565 - GWENDOLYN BURNS

CLAIM OF:

DARLENE S. SLATE
1029 Echo Valley Court
Loganville, Georgia 30052

01-R-0388

For vehicular damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on August 22, 2000 at 818-820 Ponce de Leon Avenue, NE.

THIS ADVERSED REPORT IS
APPROVED

1002 8 1 9 2001

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT

Public Safety

DATE 3/13/01

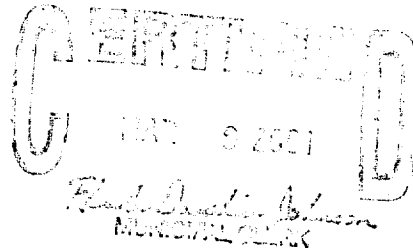
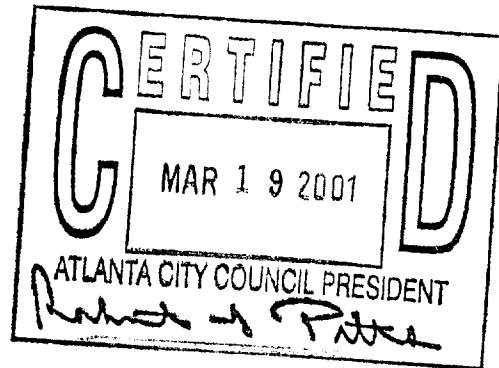
BY: C. T. Mark

Charles Mark

Cela Houston

W. M. L.

L. M. L.





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

April 2, 2001

Darlene S. Slate
1029 Echo Valley court
Loganville, GA 30052

01-R-0388

Dear Ms. Slate:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 19, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0565

Date: February 27, 2001

Claimant /Victim DARLENE S. SLATE
BY: (Atty) (Ins. Co.) _____
Address: 1029 Echo Valley Court, Loganville, Georgia 30052
Subrogation: _____ Claim for Property damage \$ 406.11 Bodily Injury \$ unspecified
Date of Notice: 9/6/00 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/22/00 Place: 818-820 Ponce de Leon Avenue, NE
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove through a sink hole in the roadway that was under construction and left in an unsafe condition. An investigation determined that Atlanta Gas Light performed work at the incident location. Claimant has been advised of same and her claim has been forwarded to the utility company for resolution.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

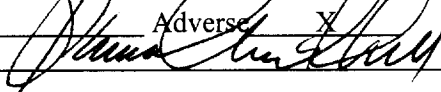
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 03-01-01
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 8-28-00

ENTERED - 9-14-00 - SB
00L0565 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 8-22-00 (month/day/year) 2. Time of Incident: 8:45 am 3. Police called: Yes ☒ No ☐

4. Location of incident (including street address): Ponce de Leon Avenue near City Hall East

5. Name of your insurance company: Allstate Policy No. _____

6. State what and how incident occurred: I was on my way to work going down Ponce de Leon Ave. when I noticed that the metal cover had slid off the path. There was some electrical work being performed on the side of the road. I could not see the car that was on the side of the road.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Galant 98 (Make) (Year) (Tag Number) Darlene S. Slate (Driver's Name)

City vehicle: _____ (Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____ (Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Darlene S. Slate (Print Claimant's Name)

1029 Echo Valley Court (Address)

Loganville, Ga 30052 (City, State and Zip Code)

404 853-8000 (Work Number) 770 466-3407 (Home Number)

01-R-0388

RCS# 2725
3/19/01
2:52 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 15

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

RCS# 2726
3/19/01
2:54 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered*
#1

Pages 1 thru 15

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	NV Emmons
NV Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067
01-O-0354

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

RCS# 2753
3/19/01
5:40 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered*
#2

Pages 1 thru 15

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0067
01-O-0354
01-O-0188

Woolard & Morris voted Nay on the
following items:

01-R-0379
01-R-0392
01-R-0393
01-R-0394
01-R-0395
01-R-0396

CONSENT

		03/19/01 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 01-O-0306	39. 01-R-0397	57. 01-R-0437
2. 01-O-0445	40. 01-R-0398	58. 01-R-0438
3. 01-O-0449	41. 01-R-0399	59. 01-R-0375
4. 01-O-0450	42. 01-R-0400	60. 01-R-0376
5. 01-O-0098	43. 01-R-0401	61. 01-R-0377
6. 01-O-0178	44. 01-R-0402	62. 01-R-0378
7. 01-O-0302	45. 01-R-0403	63. 01-R-0379
8. 01-O-0367	46. 01-R-0404	64. 01-R-0380
9. 00-O-1987	47. 01-R-0405	65. 01-R-0381
10. 01-O-0448	48. 01-R-0406	66. 01-R-0382
11. 00-O-2069	49. 01-R-0407	67. 01-R-0383
12. 01-O-0446	50. 01-R-0408	68. 01-R-0384
13. 01-O-0187	51. 01-R-0409	69. 01-R-0385
14. 01-O-0294	52. 01-R-0410	70. 01-R-0386
15. 01-R-0411	53. 01-R-0433	71. 01-R-0387
16. 01-R-0412	54. 01-R-0434	72. 01-R-0388
17. 01-R-0413	55. 01-R-0435	73. 01-R-0389
18. 01-R-0414	56. 01-R-0436	74. 01-R-0390
19. 01-R-0420		75. 01-R-0391
20. 01-R-0421		76. 01-R-0392
21. 01-R-0475		77. 01-R-0393
22. 01-R-0428		78. 01-R-0394
23. 01-R-0429		79. 01-R-0395
24. 01-R-0477		80. 01-R-0396
25. 01-R-0220		81. 01-R-0440
26. 01-R-0430		82. 01-R-0439
27. 01-R-0447		
28. 01-R-0452		
29. 01-R-0458		
30. 01-R-0417		
31. 01-R-0426		
32. 01-R-0427		
33. 00-R-1466		
34. 01-R-0416		
35. 01-R-0419		
36. 01-R-0424		
37. 01-R-0108		
38. 01-R-0189		